

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

BIRCH HILL REAL ESTATE, LLC, *et al.*,

Case No. 2:19-cv-00426

Plaintiffs,

V.

KEVIN BRESLIN, *et al.*,

Defendants.

**DEFENDANTS, MIDCAP FINANCIAL SERVICES, LLC AND
MIDCAP FUNDING VII TRUST,
MOTION FOR LEAVE TO FILE SUR-REPLY TO
PLAINTIFFS' MOTION TO REMAND**

Defendants, MidCap Financial Services, LLC and MidCap Funding VII Trust (together, “MidCap”), by and through its undersigned counsel, hereby move the Court for leave pursuant to Civil L. R. 7(i) to file the attached **Sur-Reply Brief of Defendants, MidCap Financial Services, LLC And MidCap Funding VII Trust, In Further Opposition To Plaintiffs’ Motion To Remand**. Plaintiffs have submitted new arguments and filed two additional Affidavits of Mailing (ECF Nos. 49-1 and 49-2) to their Reply Brief in Further Support to Motion to Remand (ECF No. 49) that were not included by Plaintiffs in their original Memorandum in Support of Motion to Remand (ECF No. 37). Accordingly, MidCap seeks to address Plaintiffs’ new arguments in their Reply Brief.

Dated this 30thth day of May, 2019.

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*Attorneys for Defendants, MidCap Financial
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was filed through the CM/ECF system on May 30, 2019, and a copy will be served electronically on all registered recipients and counsel of record as identified on the Notice of Electronic Filing.

s/ Chad R. Levanetz

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